



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:

Tsuyoshi TOMITA et al.

Art Unit: 2836

Serial No. 09/263,766

Examiner: Kevin Michael Burd

Filed: March 5, 1999

Attorney Dkt. No.: 108075-09006

For: SIGNAL PROCESSING CIRCUIT FOR PREVENTING PSEUDO LOCK OF TIMING RECOVERY PLL

PETITION UNDER 37 C.F.R. 1.181

Commissioner for Patents  
Washington, D.C. 20231

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Date: October 2, 2002

OCT 17 2002

Sir:

Technology Center 2600

Applicants respectfully petitions the Commissioner to withdraw the holding of abandonment of the above-referenced application. Applicants respectfully submit that the Office action mailed October 16, 2001 was never received and the resulting abandonment of the application for failing to reply was due to this non-receipt.

On April 18, 2002, Applicants' attorneys filed an appropriate Notification of Change of Address and a copy is attached hereto. The Notice of Abandonment dated September 20, 2002 was sent by the PTO to the undersigned's new address accordingly.

Applicants respectfully petitions the time period of reply to be reset and that a copy of the Office letter be sent to the undersigned.

Applicants respectfully request that the decision on petition be faxed to **202-638-4810**, attention of the attorney of record, Charles M. Marmelstein.

10/03/2002 CNGUYEN 00000129 09263766

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130.00 OP

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A check in the amount of \$130.00 as set forth in 37 CFR 1.17 is attached. If any further fee is due, the U.S. Patent and Trademark Office is authorized to charge Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KARN, PLLC

Charles M. Marmelstein  
Attorney for Applicants  
Registration No. 25,895

27931

Customer No. 004372  
1050 Connecticut Avenue, N.W., Suite 400  
Washington, D.C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

CMM:lw

Enclosures: Notification of Change of Name and Address dated 4/18/02  
Notice of Abandonment dated 9/20/02



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Tsuyoshi TOMITA

Serial No.: 09/263,766

Filed: March 5, 1999

Group Art Unit: 2836

Examiner:

Atty. Docket No.: 108075-09006

For: SIGNAL PROCESSING CIRCUIT FOR PREVENTING  
PSEUDO LOCK OF TIMING RECOVERY PLL

NOTIFICATION OF CHANGE OF NAME AND ADDRESS

Commissioner for Patents  
Washington, D. C. 20231

April 18, 2002

Sir:

It is respectfully requested that the correspondence address for the above-identified application be changed to the following:

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 Connecticut Avenue, N.W.  
Suite 400  
Washington, D. C. 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 638-4810

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In the event that any fees are due with respect to this paper, please charge our  
Deposit Account No. 01-2300.

Respectfully submitted,

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC

**SIGNATURE ON ORIGINAL**

Charles M. Marmelstein  
Attorney for Applicant  
Reg. No. 25,895

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Suite 400  
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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/263,766      | 03/05/1999  | TSUYOSHI TOMITA      | P8075-9006          | 2214             |

7590

09/20/2002

ARENT FOX KINTNER PLOTKIN & KAHN, PLLC  
1050 CONNECTICUT AVENUE, N.W.  
SUITE 400  
WASHINGTON,, DC 20036-5339



EXAMINER

BURD, KEVIN MICHAEL

ART UNIT

PAPER NUMBER

2631

DATE MAILED: 09/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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**Notice of Abandonment**

Application No.  
**09/263,766**

Applicant(s)  
**TOMITA**

Examiner  
**Kevin M. Burd**

Art Unit  
**2631**



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on Oct 16, 2001.

(a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.

(b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113(a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.)

(c) ☒ No response has been received.

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2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).

(a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance.

(b) ☐ The submitted issue fee of \$ \_\_\_\_\_ is insufficient. A balance of \$ \_\_\_\_\_ is due.

The issue fee required by 37 CFR 1.18 is \$ \_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d) is \$ \_\_\_\_\_.

(c) ☐ The issue fee and publication fee, if applicable, has not been received.

3. ☐ Applicant's failure to timely file new formal drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).

(a) ☐ Proposed new formal drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.

(b) ☐ The proposed new formal drawings filed on \_\_\_\_\_ are not acceptable and the period for reply has expired.

(c) ☐ No proposed new formal drawings have been received.

4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.

5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.

6. ☐ The decision by the Board of Patent Appeals and Interferences rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.

7. ☐ The reason(s) below:

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CHI PHAM  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

7/11/02